

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ROBERT LANGENDOERFER,

Plaintiff,

Case No. C24-1328-BHS-SKV

V.

## REPORT AND RECOMMENDATION

LINDA WILLIAMSON,

Defendant.

14 This is a civil rights action proceeding under 42 U.S.C. § 1983. Plaintiff submitted his  
15 complaint to the Court for filing on August 21, 2024. *See* Dkt. 1. He alleged therein that  
16 Defendant Linda Williamson, the Classification Supervisor at the Snohomish County Jail (“the  
17 Jail”), violated his Fourteenth Amendment rights when she failed to reasonably protect him from  
18 a serious risk of harm. *See* Dkt. 6 at 4. Plaintiff claimed that Ms. Williamson had him moved to  
19 a housing module at the Jail knowing this would likely result in his injury or death. *Id.* at 5.  
20 Plaintiff further claims that immediately upon arriving in the new housing module “a failed  
21 attempted assault by the plaintiff’s former gang took place.” *Id.*

22 On January 22, 2025, Defendant filed a motion for judgment on the pleadings which is  
23 fully briefed and currently ripe for review. *See* Dkts. 22, 31, 32. On March 3, 2025, after

## REPORT AND RECOMMENDATION

PAGE - 1

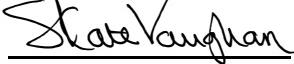
1 briefing on Defendant's motion was complete, the Court received from Plaintiff a request that he  
2 be allowed to withdraw his complaint and that he be granted leave to re-file his complaint  
3 correctly. Dkt. 33. Because the Court was unclear as to the precise nature of the relief Plaintiff  
4 was seeking, the Court issued an Order on March 12, 2025, directing Plaintiff to clarify whether  
5 he was requesting a voluntary dismissal of the action without prejudice, or was instead  
6 requesting that he be granted leave to amend his complaint. Dkt. 34. The Court directed  
7 Plaintiff to clarify his intentions by submitting either a motion seeking voluntary dismissal of this  
8 action, or a motion seeking leave to amend his complaint together with a proposed amended  
9 complaint, not later than March 31, 2025. *See id.* The Court also re-noted Defendant's motion  
10 for judgment on the pleadings for that date. *Id.*

11 On March 20, 2025, the Court received from Plaintiff a motion requesting voluntary  
12 dismissal of this action without prejudice. Dkt. 37. Defendant filed a prompt response to  
13 Plaintiff's motion in which she indicated she does not object to Plaintiff's motion "assuming the  
14 Court does not first grant Defendant's earlier Motion for Judgment on the Pleadings and thereby  
15 dismiss the instant case with prejudice." Dkt. 38. Given the absence of objection from  
16 Defendant to Plaintiff's request for voluntary dismissal, the Court recommends that Plaintiff's  
17 motion for voluntary dismissal (Dkt. 37) be granted, and that Plaintiff's complaint (Dkt. 6) and  
18 this action be dismissed without prejudice. The Court further recommends that Defendant's  
19 motion for judgment on the pleadings (Dkt. 22) be stricken as moot. A proposed Order  
20 accompanies this Report and Recommendation.

21 Objections to this Report and Recommendation, if any, should be filed with the Clerk and  
22 served upon all parties to this suit not later than **fourteen (14) days** from the date on which this  
23 Report and Recommendation is signed. Failure to file objections within the specified time may

1 affect your right to appeal. Objections should be noted for consideration on the District Judge's  
2 motions calendar **fourteen (14) days** from the date they are filed. Responses to objections may  
3 be filed by **the day before the noting date**. If no timely objections are filed, the matter will be  
4 ready for consideration by the District Judge on **April 23, 2025**.

5 DATED this 2nd day of April, 2025.

6  
7   
8 S. KATE VAUGHAN  
United States Magistrate Judge  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23